

App. No.: 10/763,132  
Attorney Docket.: 3088.2.1 NP

## Remarks

Applicant thanks the Examiner for the Written Office Action.

With regard to the substantive portion of the Written Office Action, the claims were subjected to a restriction and/or election requirement. The claims were restricted to two classes, that is Class I (claims 1-16) and Class II (claims 17 and 18).

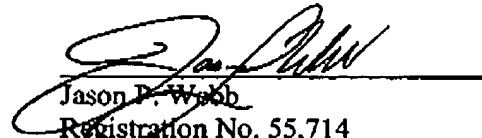
Applicant elects with traverse the claims of Class I (claims 1-16), and claims 17 and 18 have thus been withdrawn.

Applicant respectively traverses the restriction in that Classes I and II are not mutually exclusive species in an intermediate-final product relationship. MPEP §806.04(b) explains that "[d]istinctiveness is proven if it can be shown that the intermediate product is useful other than to make the final product." Examiner argues that the intermediate product is that of Class II, and that this product is merely "useful as a locking device with timer". However, the preamble to claim 17, the independent claim upon which dependent claim 18 depends, clearly states that what is being claimed is a method of controlling access to medication, not merely a locking device with a timer. Thus, Applicant argues that the intermediate product is not useful other than to make the final product.

Thus, Applicant elects Class I with traverse. Should the Examiner wish to discuss any of the proposed changes, Applicant again invites the Examiner to do so by telephone conference.

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Respectfully Submitted,

  
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